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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/446,991	02/04/2000	HENRIK LEIMAND	CU-2078RJS	3241

7590 07/29/2003

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EXAMINER

YAN, REN LUO

ART UNIT

PAPER NUMBER

2854

DATE MAILED: 07/29/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/446,991

Applicant(s)

LEIMAND, HENRIK

Examiner

Ren L Yan

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2854

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 July 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 12-22 is/are pending in the application.
- 4a) Of the above claim(s) 12-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21 and 22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jahn(4,722,273) in view of EP 0574124. With respect to claim 21, the patent to Jahn teaches the method of operating a printing unit in an offset printing machine having a convertible fluid applying unit 11 which selectively applies water or lacquer as claimed including particularly the processes of engaging an inking unit 6 with a plate cylinder 5 when the fluid applying unit 11 is used to apply water and of disengaging the inking unit 6 from the plate cylinder 5 when the fluid applying unit 11 is converted to apply lacquer. See column 1, line 38 through column 2, line 4 and the paragraph bridging columns 3 and 4 in Jahn for details. However, the fluid applying unit 11 of Jahn uses a fountain roller 12 and a doctor blade 15 combination to control the amount of fluid being applied to a blanket cylinder 8 rather than a doctor blade chamber device as recited. EP 0574124 teaches a coating apparatus for use in a rotary offset printing machine the conventional use of a fluid applying device having a doctor blade chamber device the exact same structure as recited. EP 0574124 states that the use of such a doctor blade chamber device operating under negative pressure conditions, leakage of coating fluid is virtually non-existent, and the operating life of the end seals is substantially increased. See Figs. 4, 8 and 9, and column 2, line 43 through column 3, line 26 in EP 0574124 for example. In view of the teaching

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of EP 0574124, it would have been obvious to those having ordinary skill in the art to provide the fluid applying device of Jahn with a doctor blade chamber device appropriately disposed as taught by EP 0574124 in order to enhance the fluid applying operation of the fluid applying device. With respect to claim 22, the patent to Jahn also teaches a method of providing the fluid applying unit 11 as the first device for applying lacquer and a dampening unit 7 as the second device for applying water, and the same teaching of separating the inking unit 6 from the plate cylinder 5 while applying lacquer and engaging the inking unit 6 with the plate cylinder 5 while applying water with the dampening unit 7. See the paragraph bridging columns 3 and 4 in Jahn. As discussed above, EP 0574124 teaches a coating apparatus for use in a rotary offset printing machine the conventional use of a fluid applying device having a doctor blade chamber device the exact same structure as recited. EP 0574124 states that the use of such a doctor blade chamber device operating under negative pressure conditions, leakage of coating fluid is virtually non-existent, and the operating life of the end seals is substantially increased. See Figs. 4, 8 and 9, and column 2, line 43 through column 3, line 26 in EP 0574124 for example. In view of the teaching of EP 0574124, it would have been obvious to those having ordinary skill in the art to provide each of the fluid applying device and the dampening unit of Jahn with a doctor blade chamber device appropriately disposed as taught by EP 0574124 in order to enhance the fluid applying operation of the fluid applying device.

Applicant's arguments filed on 7-1-2003 have been fully considered but they are not persuasive. In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a single device incorporating both the dampening unit and lacquering unit) are not recited in the rejected

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claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). It should be pointed out that the rejected claims 21 and 22 do not contain any reference to a dampening unit. All is claimed in claim 21 is a device capable of alternately applying water or lacquer which is met by the washing device 11 of Jahn. On page 2, last full paragraph of the response, applicant agreed that “the washing device 11 of Jahn is able to apply both water(washing liquid) and lacquer(solvent)”. Claim 22 does not even require a dampening unit and a lacquering to be a single unit. Thus, it is believed that the above prior art rejection is proper and therefore is maintained.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

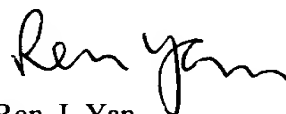
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L Yan whose telephone number is 703-308-0978. The examiner can normally be reached on 8:30am-5:00pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 703-305-6619. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-7722 for regular communications and 703-308-7722 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.



Ren L Yan  
Primary Examiner  
Art Unit 2854

Ren Yan  
July 25, 2003